



COMMONWEALTH of VIRGINIA
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April 27, 2010

Keri Hall, M.D., M.S.
Director, Office of Epidemiology
Virginia Department of Health
109 Governor Street
Richmond, Virginia 23219

Re: Expanded Requirements for Reporting Healthcare-Associated Infections
12 VAC 5-90-10 et seq.

Dear Dr. Hall:

I have reviewed the expanded requirements for reporting healthcare-associated infections in 12 VAC 5-90-80. The amended regulation does not conflict with other federal or state statutes or regulations and does not violate the United States or Virginia Constitutions.

The Board of Health has the authority to promulgate the regulation under Va. Code §§ 32.1-12 and 32.1-35.1. The regulation is consistent with the Board's mandate to implement the procedures and standards for disease reporting and control and the reporting of healthcare-associated infections. The Board of Health will not exceed its statutory authority by approving this regulation. Having satisfied all legal requirements, you may proceed to take the necessary steps to seek executive review and public comment on this regulation. .

Very truly yours,

Robin V. Kurz
Special Counsel